

OUTGOING TELEGRAM

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Department of State

SECRET ~~Verbatim Text~~

Classification

VERBATIM TEXT

NOV 24 PM 2 43

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SENT TO: Amembassy BONN NIACT 1072
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DEPTTEL 1007 to Bonn, repeated London 5053, Paris 1891, Moscow 848, Berlin 299

Although we would have preferred to proceed along lines originally contemplated, we can understand reasons for French hesitation to send note to Soviets. In order to avoid further loss of time, Murphy has accordingly proposed to Alphand text be adapted for use as note to Government of Federal Republic. We believe this should take care of principal French concern.

Would hope that delivery could take place tomorrow/noon ~~tomorrow/noon~~ in four capitals by 1800 hours GMT tomorrow. ~~in time to permit simultaneous release~~

~~Washington, Paris, Bonn, London~~ After tripartite and quadripartite coordination, text in Bonn, Embassy should follow procedure for informing USRO by NIACT message previously contemplated in connection note to Soviets.

Department suggests following adaptation of text.

QUOTE The Government of the United States has noted the report which to me regarding the statement of the Foreign Minister of the Federal Republic has given ~~to me~~ the Soviet Ambassador ~~to me~~ in Bonn to the Federal Government of the announced intention

Drafted by: EUR:GER:MHillenbrand:al 11/24/58

Telegraphic transmission and classification approved by:

The Secretary ~~for the Secretary~~

Clearance:

EE - Mr. Freers
U - Mr. Herter
G - Mr. Murphy (in substance)
EUR-Mr. Merchant (in substance)

RA - Mr. Timmons (in substance)

GER - Mr. Vigderman

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NOV 24 1958 P.M.

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intention of the Soviet Union to cease to execute its functions and responsibilities relating to Berlin. It has also noted a series of statements by official and unofficial Soviet spokesmen denying the rights of the Three Western Powers to remain in Berlin.

to the Federal Government
My Government wishes to emphasize its well-known and oft-repeated view that a unilateral renunciation of obligations relating to Berlin based on long-standing four-power agreements and arrangements would be invalid in international law and could in no way affect the rights and duties of the Four Powers in Berlin. The Soviet Union in law and in fact has for many years acknowledged and accepted responsibility to the other three Powers for maintenance of the status of Berlin and the freedom of its communication with the West.

My Government has directed me to inform you that it will continue to exercise its rights and fulfill its obligations as an occupying power in Berlin under the presently valid quadripartite agreements affecting Berlin.

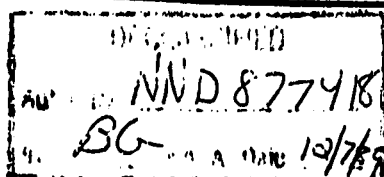
Furthermore, my Government has instructed me to point out that existing international practice leaves no choice except to conclude that any orders that might be issued by the Soviet Union to its officials to cease enforcing measures affecting Western traffic to and from Berlin which have been part of a system of quadripartitely agreed arrangements would constitute a unilateral attempt to terminate the presently existing administrative arrangements in this field.

My Government has sought repeatedly to enlist the cooperation of the Soviet Union in negotiations which would lead to just, practical and humane solutions of the

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related problems of Berlin and Germany. It is impossible to reconcile the Soviet Government's protestations of a desire to relax international tensions with a threat of unilateral actions which cannot fail to increase tensions in a highly sensitive area.

My Government ~~states to make it clear that it~~ continues and will continue to look to the Soviet Government for the fulfillment of its obligations and the maintenance of the rights of the US Government under these agreements. UNQUOTE

Dulles

DULLES

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